

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of	:	Customer Number: 83729
	:	
David W. Morris, et al.	:	Confirmation Number: 4557
	:	
Application No.: 10/539,228	:	Tech Center Art Unit: 1643
	:	
Filed: October 28, 2005	:	Examiner: HOLLERAN, Anne L.
	:	
For: NOVEL COMPOSITIONS AND METHODS IN CANCER	:	

**NOTICE OF APPEAL
FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence is being electronically-transmitted to the
United States Patent and Trademark Office on March 2, 2010.
/Carrie Hines/

Carrie Hines

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated 09-17-09 of the
Primary Examiner finally rejecting claims 51, 78, 82-87, 89, 90, 93 and 94.

Appeal Fee: \$540.00

☒ Charge to Deposit Account No. 502624.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is
hereby made. Please charge any shortage in fees due in connection with the filing of this paper,
including extension of time fees, to Deposit Account 502624 and please credit any excess fees to
such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

/David A. Gay/
David A. Gay
Registration No. 39,200

11682 El Camino Real, Suite 400
San Diego, CA 92130
Phone: 858.720.3300 DAG:cjh
Facsimile: 858.720.7800
Date: March 2, 2010

**Please recognize our Customer No. 83729
as our correspondence address.**